



**OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN**

**GERALD C. MANN
ATTORNEY GENERAL**

Honorable O. E. Geron
County Attorney
Ector County
Odessa, Texas

Dear Sir;

Opinion No. O-4448
Re: Texas Defense Guard -
Commissioners' Court

Your request for opinion has been received and carefully considered by this department. We quote from your request as follows:

"Title 94, Article 5891a, Section 4, of the Vernon's Texas Civil Statutes provides as follows:

"For the use of such forces, the Governor is hereby authorized to requisition from the Secretary of War such arms and equipment as may be in possession of, and can be spared by, the War Department; and to make available to such forces the facilities of State armories and their equipment and such other State premises and property as may be available; . . . provided further that County Commissioners Courts, city authorities, communities, and civic and patriotic organizations are empowered and authorized by this act to provide funds, armories, equipment, material, transportation, or other appropriate services or facilities, to the Texas Defense Guard."

"QUESTION:

"Would the Commissioners Court be authorized under this Section of the Statutes, to employ and pay, out of the County treasury, a suitable and competent person to assist in the training and instruction of the personnel of the Texas Defense Guard of Ector County, such person to have full-time charge of the Company's records, the enlistment of new recruits, and the training of the local unit of the Texas Defense Guard in military affairs?

"Would the employment and paying of such a person by Ector County, be authorized under this section of the statutes as an appropriate service?"

The above quoted statute grants broad authority to the Commissioners' Court to aid the Texas Defense Guard.

It is our opinion that each of your questions should be answered in the affirmative.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By

**(s) Wm. J. Fanning
Assistant**

**WJF:GO
APPROVED FEB. 27, 1942
/s/ Grover Sellers
FIRST ASSISTANT
ATTORNEY GENERAL**